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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/790,503

03/01/2004

Stacey L. High

1104-2U

1022

31292

7590

04/14/2006

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EXAMINER

MAI, TRI M

ART UNIT

PAPER NUMBER

3727

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/790,503	HIGH, STACEY L.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tri M. Mai	3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>03/01/04</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

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1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the seal being open, the pull chain attached to the lampshade, the pull chain (claims 5, 16, 17), all of the seal in claim 7, system in claim 18 with different lampshade, and lampshade finials (claim 19), the decorative fabric (claim 15) **must be shown clearly** or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. **All objections to the drawings as set forth above will be held in abeyance in responsive to this Office Action.**

2. Claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not

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described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification fails to show how the lampshade being made with the various seal structure, the various shapes of the handbag. Furthermore, it is unclear how the bag operates. See drawing objection above.

3. Claims 1, 2, 7-8, 9, 12, 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Weinreb (5810166). Weinreb teaches a bag having a lampshade portion 10 a closed bottom end as claimed, and an open end and carrying means 9.

Regarding claim 19, note the embodiment 1 having a round portion 4c, and the embodiment in Fig. 3a having a shape lamp shade in Fig. 3A.

4. Claims 3, 4, 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Weinreb in view of Jahncke (D89545) or Rotkel (2393268). It would have been obvious to one of ordinary skill in the art to provide a finial affixed to the seal (note the zipper is part of the seal) to enable to pull the zipper easily.

5. Claims 5-6, and 16, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinreb in view of Hurst (3355779) or Swanson (3355779). It would have been obvious to one of ordinary skill in the art to provide a pull chain as taught by either Hurst, portion 6, or Swanson, portion 22, to pull the zipper easily.

6. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinreb in view of either Hyman (2663343) or Kasdan (2775280). It would have been obvious to one of ordinary skill in the art to provide a handle and/or a strap as taught by either Hyman or Kasdan to handle the bag easily.

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7. Claims 1-4, 7, 8, and 10-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Rath (D151858). Rath teaches a lampshade bag with carrying means as claimed.

8. Claim 1-4, and 7-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Hyman (2796105). Hyman teaches a teaches a lampshade bag with carrying means as claimed and note the finial on top of portion 24.

9. Claim 1-4, 7-14, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kasdan (2775280). Kasdan teaches a lampshade bag with carrying means as claimed.

Regarding claim 13, portion 64 is the finial as claimed.

Regarding claim 18, note the system with different embodiments of the lampshade in Fig. 1, 6, and 7

10. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable anyone of Weinreb, Rath, Hyman, and Kasdan, in view of either Miller (1871549) or Shillman (1624987). It would have been obvious to one of ordinary skill in the art to provide a decorative fabric as taught by Miller (col. 2, ln. 86) or Shillman (Fig. 1) to decorate the bag for fashion.

11. Claims 3, 4, 13, 14, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over anyone of Weinreb, Rath, Hayman, and Kasdan in view of Hazan (3867971). Hazan teaches the various types of bag can be used together along with different finial attachments (46, 78, 54, 92, 90, 102, 104, 106). It would have been obvious to one of ordinary skill in the art to provide different bag to be used together as taught by Hazan to provide a collection for an individual.

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12. Applicants attention is directed to the fact that other rejections can be set forth under 35 U.S.C. 102 and/or 35 U.S.C. 103 with the cited art of record. However, applying these rejections would have been redundant.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (571)272-4541. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on (571)272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tri M. Mai  
Primary Examiner  
Art Unit 3727

